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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,751	11/12/2003	Gianfranco Stratico	AX-120 Div	8884

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EXAMINER

KIM, SANG K

ART UNIT PAPER NUMBER

3654

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/712,751	<b>Applicant(s)</b> STRATICO ET AL.	
	<b>Examiner</b> SANG KIM	<b>Art Unit</b> 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,2,5-21 and 23-26 is/are rejected.  
7) ☒ Claim(s) 3,4 and 22 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/28/04</u> . | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 20, the phrase, "said distal portion facing away from said axis of rotation," is indefinite and vague. What does it mean by the distal portion facing away from said axis of rotation? Is applicant referring to the distal portion is perpendicular with respect to the axis of rotation? Applicant has many different rotational axes depending on which stage the dynamoelectric machine component is at; therefore, which axis is applicant referring to?

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5-7, 18-21, and 23-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Santandrea et al., U.S. Patent No. 5316228.

With respect to claims 1-2, 5, 20-21, and 23-26, Santandrea '228 teaches a method by showing an apparatus (see figures 1-10) for winding a wire coil on at least

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one dynamoelectric machine component (11), said apparatus having an axis of rotation (an axis of revolving table 32, a vertical axis) and comprising: at least two component assembly stations (loading and unloading stations); at least one support member (31 with a gear wheel 40) configured to rotate about said axis, said support member (31 with a gear wheel 40) having a distal portion (a portion engaging the housing) facing away from said axis of rotation (rotating and pivoting about the axis x, a horizontal axis, see figures 4-5, claim 5, inherently well known in the industry which the material comprises steel), said support member (31 with a gear wheel 40) configured to transfer said machine component between said stations (loading and unloading stations); and at least one machine component housing (21, chucks 23, 25) is detachable from a corresponding distal portion (see figure 10, removing the screws 18); and said housing (21, chucks 23, 25) projects from said corresponding distal portion (claim 2, cantilevered with respect to the support member 31); away from said axis of rotation, as shown in figures 3-5 and 9-10.

With respect to claims 6-7, Santandrea '228 shows said housing (21) has a central axis (a centroid of housing); a top, a bottom, and a side, said side extending between said top and said bottom; said top, said bottom, and said side are substantially parallel to said central axis, as shown in figure 3.

With respect to claims 18-19, Santandrea '228 shows said housing (21) comprises: a hollow interior portion defined by an interior surface (a central cavity); an exterior surface, top, bottom and side; and at least one shroud locking screw (26, 26') fixed to the frame (22) and extends and slide into said interior portion; said frame is

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slidable with respect to said housing (21, chucks 23, 25) in a direction substantially parallel to said central axis, as shown in figure 3.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 8-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Santandrea et al., U.S. Patent No. 5316228, in view of Luciani, U.S. Patent No. 4982908.

With respect to claims 8-10, Santandrea '228 does not teach an actuating device to the clamp.

Luciani shows a clamp (32) partially disposed inside said housing (12, see figures 7 and 10) and configured to secure a machine component inside said housing (12); and a first actuator (cylinder 64", spring 38 etc.) member, wherein said first actuator member is secured to said clamp (32); said first actuator member extends through said side (see figure 10); and said first actuator member is configured to reciprocate with respect to said central axis, (claim 9, an opposite side of the apparatus), (claim 10, a fork appendix 35) as shown in figures 7 and 10.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Santandrea '228 to automatically

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actuate the clamp as taught by Luciani, to increase production time since manually adjusting the clamp can consume a considerable amount of time than an automatic adjustment automation.

With respect to claims 11-17, Santandrea '228 shows a machine for winding stators but does not show a drive device to actuate the device to wind the stators.

Luciani shows a drive device (64, 38) is disposed outside of said housing (12) and fixed to said support member (10); said support member with an attachment member (part of 28, which holds the housing 12) which is actuated by cylinders and springs, as shown in figure 6.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the apparatus of Santandrea '228 to show how a drive device can be actuated as taught by Luciani, to illustrate how the driving device can apply force to the actuator to wind the stators.

#### ***Allowable Subject Matter***

Claims 3-4 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Response to Arguments***

Applicant's arguments/remarks with respect to claims 1 and 20 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

The limitation added to claims 1 and 20 that a distal portion facing away from said axis of rotation (i.e. causing a perpendicular relationship) necessitated the new grounds of rejection with a new reference.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANG KIM whose telephone number is 703-305-3712. The examiner can normally be reached Monday through Friday from 8:00 A.M. to 5:30 P.M. alternating Friday.

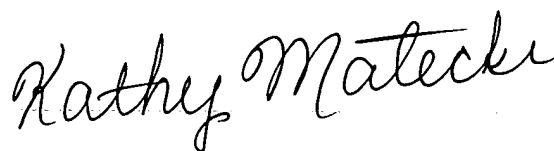
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki, can be reached on (703) 308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK

4/3/05

A handwritten signature in black ink that reads "Kathy Matecki". The signature is written in a cursive, flowing style.

KATHY MATECKI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600